

CITY OF FALLS CHURCH

Fiscal Year 2004

(July 1, 2003 through June 30, 2004)

Consolidated Annual Performance and Evaluation Report (CAPER)

For Housing and
Community
Development
Activities



Consolidated Annual Performance and Evaluation Report

Fiscal Year (FY) 2004

Table of Contents

I. BACKGROUND	3
II. SUMMARY OF RESOURCES AND PROGRAM ACCOMPLISHMENTS	4
A. Federal and Local Funds	4
B. Summary of Project Funding and Project Accomplishments	4
III. FY 2004 ACTIVITIES.....	6
A. Housing Strategies.....	7
FY 2004 Activities to Meet Housing Needs	7
B. Homeless Strategies.....	8
FY 2004 Activities to Meet the Needs of the Homeless.....	8
C. Coordination Strategies	9
FY 2004 Activities to Implement Coordination Strategies.....	9
D. Strategies to Meet Underserved or Unserved Needs	9
E. Community and Economic Development Strategies.....	10
FY 2004 Activities to Implement Coordination Strategies.....	10
IV. CITIZEN COMMENTS.....	10
V. EVALUATION OF ANNUAL ACTIVITIES	11
CDBG Program Narrative.....	11
A. Assessment of City's Efforts in Carrying out the Planned Actions.....	11
B. Compliance with CDBG National Objectives.....	12
C. CDBG-funded Projects Involving Displacement.....	12
D. Economic Development Activity.....	12
E. Rehabilitation Projects.....	12
F. Neighborhood Revitalization Strategy Area.....	12
G. Changes in CDBG Program Objectives.....	12
VI. AFFIRMATIVELY FURTHERING FAIR HOUSING.....	12
ATTACHMENTS.....	15
A: HOME: Annual Performance Report	
B: Certifications	
C: Notice & Press Announcement concerning Availability of CAPER for Public Review	
D: Summary of Citizen Comments	
E: HUD Income Limits	

FY 2004 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

I. BACKGROUND

The U.S. Department of Housing & Urban Development provides CDBG and HOME program grants to large cities, counties (i.e., Arlington County), and States to carry out housing and community development activities. The City of Falls Church annually receives federal Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds as part of a cooperative agreement with Arlington County, Virginia.

Although the City does not submit an application for CDBG and HOME funds, it must submit a Consolidated Plan to Arlington County and HUD in order to receive those funds. The Consolidated Plan outlines the City's housing and community development needs. The City's Consolidated Plan for Housing and Community Development, approved in April 1998 by the Falls Church City Council, is a community blueprint for meeting the housing and community development needs of Falls Church City residents from Fiscal Year (FY) 1999 through FY 2003.¹

The Plan provides housing demographics and trends, current housing and community development activities, and offers an action plan for future efforts. It was formulated based on recommendations from Falls Church citizens, its leadership, and the housing and human service providers who serve them. For each year of the Consolidated Plan, the City also prepares an Action Plan that describes the specific activities that will be undertaken during that year to meet the needs identified in the Consolidated Plan. At the end of each fiscal year, the City prepares a Consolidated Annual Performance and Evaluation Report (CAPER), which provides information on the City's activities in that fiscal year. This CAPER describes the City's efforts to meet the housing and community development needs identified in the FY 2004 Action Plan.

Consolidated Plan: Five-Year Strategies

Creating affordable housing opportunities for low- and moderate-income residents is the focus for the use of federal funds given the critical gap in the City's housing infrastructure. Information from a 2004 City-wide survey of multifamily complexes revealed that the average contract rent for a two-bedroom apartment was \$1,175 (excluding the executive short-term housing at Oakwood Apartments). Improving the physical infrastructure of neighborhoods with high concentrations of low-and moderate-income residents and promoting economic development opportunities for women and minority business owners are among the strategies the City used to meet its community and economic development needs.

The City's housing and community development strategies, to be undertaken in the time-frame of the Consolidated Plan, include:

- *Encourage the preservation and production of affordable housing, particularly housing affordable to low-income households.*

¹ The City's Consolidated Plan was recently extended to cover the period through FY 2005.

- *Enforce fair housing laws and work to eliminate unfair housing practices in the City.*
- *Minimize involuntary displacement.*
- *Rehabilitate aging and deteriorated housing stock and address issues of overcrowded and substandard units.*
- *Address housing and supportive service needs of families, homeless families and individuals, elderly households, and special needs populations.*
- *Promote creative solutions to prevent and remedy homelessness.*
- *Pursue intergovernmental cooperation to promote affordable and fair housing opportunities and to coordinate services to homeless individuals and families.*
- *Promote housing accessibility and a variety of supportive housing alternatives.*
- *Promote community and economic development.*

II. SUMMARY OF RESOURCES AND PROGRAM ACCOMPLISHMENTS

A. Federal and Local Funds to Address the Needs Identified in the Strategic Plan for FY 2004

The City of Falls Church received the following funds for housing and community development activities. As noted below, funds from the previous fiscal year may be carried over into the next fiscal year.

Program	Amount
Community Development Block Grant FY 2004	\$ 96,300.00
Community Development Block Grant unexpended in FY 2003	\$ 58,984.12
HOME Investment Partnerships Program funds FY 2004	\$ 53,300.00
HOME Investment Partnerships Program unexpended FY 2003	\$ 45,099.16
Total Funds Available	\$ 253,683.28

B. FY 2004 Summary of Project Funding and Project Accomplishments

All projects listed on this chart below were funded in part by CDBG or HOME program funds. All beneficiaries for these programs are low- and moderate-income household or persons. Additional information about these programs and their beneficiaries can be found in the narrative section of this report.

FY 2004 Project Name	Funding Provided	Beneficiaries	Location
Tenant Based Rental Assistance	\$98,399.16 HOME \$25,550 CDBG \$22,402 Local Match Funds	17 households	City-wide
Community Based Development Organization: Falls Church Housing Corporation	\$54,000 CDBG	0 households	Proposed Site: N. Washington St.

FY 2004 Project Name	Funding Provided	Beneficiaries	Location
CDBG Program Administration	\$10,500 CDBG	Not Applicable	Not applicable
Services to Empower People (STEP)	\$15,750 CDBG	57 persons	Falls Church Community Ctr.
Small Business Assistance Program (Business Development Assistance Group)	\$21,384.12 CDBG	122 entrepreneurs; 2 businesses created/retained	City-wide
Housing Rehabilitation/Housing Rehabilitation Coordinator	\$28,100 CDBG \$2,500 S8Admin Fees	1 household for housing rehabilitation; 17 households for rehabilitation services	City-wide

Unexpended Funds

At the end of Fiscal Year 2004, there is approximately \$65,457.69 of unspent CDBG funds. Organizations with unexpended grant funds may carry the unexpended balance into the next fiscal year, however public services activities (e.g., Services to Empower People, CDBG Program Administration) may not have carryover balances. Therefore, the total eligible unexpended balance for Fiscal Year 2004 is \$54,140.54.

III. FISCAL YEAR 2004 ACTIVITIES

SUMMARY OF STRATEGIC PLAN PROGRESS AND PRIORITY NEEDS

During FY 2004, the following objectives were addressed and the City continues its efforts to identify effective strategies for meeting housing needs.

A. Consolidated Plan: Affordable Housing Strategies

- *Encourage the preservation and production of affordable housing, particularly housing affordable to low-income households.*
- *Enforce fair housing laws and work to eliminate unfair housing practices in the City.*
- *Minimize involuntary displacement.*
- *Address housing and supportive service needs of families, homeless families and individuals, elderly households, and special needs populations.*

FY 2004 Activities to Meet Housing Needs

Activities to meet housing needs include activities to foster and maintain affordable housing, to promote fair housing, and to provide housing counseling services. The following narrative lists a specific objective and a description of activities that addressed that objective.

Encourage the preservation and production of affordable housing, particularly housing affordable to low-income households.

- **Rental assistance** (operated by the Falls Church Housing and Human Services Division). The City provided rental assistance to extremely low- and low-income families at risk of homelessness. Beneficiaries: 17 low and moderate-income households; Ethnic/Racial data: 11 white persons, 2 Black, 1 Other Multi-Racial, and 3 Asian/Pacific Islander. Funding Expended: \$82,951.71 in HOME funds, \$13,283.23 in CDBG funds for TBRA program administration and \$22,402 in local match funds. Geographic Distribution: City-wide.
- **Landlord-tenant and housing information services** to City residents in FY 2004. The City receives and investigates landlord-tenant complaints and provides referrals for various housing services/providers throughout the City. The activity is funded by local funds and carried out by the Housing and Human Services Division staff. There were approximately 171 contacts (phone calls/referrals) for landlord-tenant related issues and 766 contacts for housing information services. Geographic Distribution: City-wide.
- **Reduce lead-based paint hazards.** In a cooperative agreement with the City, the Fairfax County Health Department provided lead-based paint screening, testing and treatment for City residents. Budget: \$125,280 (for all services from the Fairfax County Health Department). There were no reports of confirmed or suspected lead-based paint hazards for FY 2004. Geographic Distribution: City-wide.

- Continued cooperative agreement with Fairfax County to provide **Housing Choice Voucher rental assistance**. Income-eligible City resident participate in the program wherein the assisted resident pays a portion of the rent to a landlord that participates in the Housing Choice Voucher program and the U.S. Department of Housing & Urban Development pays the remaining portion. Geographic Distribution: Citywide and any jurisdiction that accepts Housing Choice Vouchers. Beneficiaries in FY 2004: 50 households.
- **Housing Rehabilitation**: The City officially launched a housing rehabilitation coordination program in Fiscal Year 2003, and began housing rehabilitation for one client in Fiscal Year 2004. The Housing Rehabilitation program provides grants to income-eligible residents whose homes have code violations. The total amount of funds expended was \$2,634.12 and remaining funds from the FY 2004 allocation will be carried over into FY 2005. Geographic Distribution: Citywide. Beneficiaries in FY 2004: one household.

Address housing and supportive service needs of families, homeless families and individuals, elderly households, and special needs populations.

- **Housing Information and Service Referral**. The City's STEP program provides direct services to assist low-income residents with limited English proficiency in accessing public services, helps to integrate language minority and ethnically diverse residents into the larger community, and promotes self-sufficiency. Beneficiaries: 57 persons: 22 White, 1 Black, 50 Hispanic, 21 Asian; 1 Asian/Pacific Islander as multi-racial; 18 female-headed households and 22 clients with Limited English Proficiency. Funding: \$15,750 in CDBG funds and approximately \$10,000 in local funds. Geographic Distribution: City-wide
- **Rent and property tax relief**. The City provided rental assistance payments to nine households and property tax relief payments to 60 income-eligible elderly households and households with disabled members. This program reduced the cost burden of housing for vulnerable residents. Local funds: \$82,434. Geographic Distribution: City-wide.
- **Residential and support services to people with disabilities**. The City continued its joint funding agreement with the Fairfax-Falls Church Community Services Board, which provides services to people with mental health and substance abuse disabilities and persons who are mentally retarded. Funded with local funds. Budget: \$580,624 in FY 2004. Geographic Distribution: City-wide. Number of Persons Served: 48 persons for alcohol and drug services; 35 persons for mental retardation early intervention services, and 99 persons for mental health services.
- **Services to people with visual disabilities**. Through a partnership with Metropolitan Washington EAR, blind, visually impaired, and physically disabled residents who cannot effectively read print receive free services, such as audio

news, via the Internet or telephone. Funded with local funds. Budget: \$1,000 in local funds for FY 2004. Geographic Distribution: City-wide. Number of Persons Served: 5

B. Consolidated Plan: Homeless Strategies

Promote creative solutions to prevent and remedy homelessness.

FY 2004 Activities to Meet Homeless Strategies

The City of Falls Church continues to provide services and find housing providers for persons who are homeless or at-risk for homelessness. These clients include persons who have been victims of domestic violence. Geographic Distribution of Services for all activities: City-wide.

- **Collaboration with regional homeless service providers.** The City participated with Fairfax County Department of Human Services staff, homeless services providers and advocates in a County-wide effort to develop priorities for a Continuum of Care for homeless people. (The City of Falls Church contracts with Fairfax County for services for homeless households.)
- **Emergency Housing for the Homeless.** The City provided funding for the operation of a wintertime overflow shelter operated by the Falls Church Emergency Shelter. Funded at \$10,000 with local funds. Approximately 68 households received emergency shelter assistance; 2567 meals were served; 17 households were able to secure permanent shelter.
- **Rent assistance** was provided to help stabilize 16 families at risk for homelessness due to cost burden. (See program description and beneficiary information under Housing Activities – Tenant Based Rental Assistance.)
- **Homeless Intervention.** The City's Housing and Human Services (HHS) Division continued to coordinate with the City Sheriff's Office to provide early intervention services to persons and families at risk of homelessness due to eviction (29 client contacts in FY 2004).
- **Services for Victims of Domestic Violence.** HHS continued to coordinate with the City's Police Department to assist victims of domestic violence who were in need of shelter or support services. The number of victims seeking services decreased from 24 to 21 in FY 2004.
- **Emergency Assistance.** HHS continued to provide emergency rent, food, and security deposits to persons and case management services to low-income households to help prevent homelessness. Number of persons served: 1 person for rental assistance, 4 persons for food coupons, 2 persons for utilities.

- **Service Planning and Coordination.** HHS staff participated in regional work groups to promote coordination of homeless services and effective data collection, particularly through the Metropolitan Washington Council of Governments and the Northern Virginia Regional Commission.
- **Referrals to regional Homeless Shelter and Service Providers.** The City continued its service agreement with Fairfax County Department of Family Services for emergency and transitional shelter services. The agreement ensures Falls Church residents equal access to shelter services provided by Fairfax County. Budget \$32,910 of local funds.

C. Consolidated Plan: Coordination Strategies

Pursue intergovernmental cooperation to promote affordable and fair housing opportunities and to coordinate services to homeless individuals and families.

FY 2004 Activities to Implement Coordination Strategies

In FY 2004, the City participated in intergovernmental activities and undertook activities to enhance service coordination and reduce the number of people living in poverty. All activities were implemented by staff of the Housing and Human Services Division and funded with local dollars. Geographic Distribution for all activities: City-wide.

- Collaborated with the Washington Metropolitan Council of Governments to update database of affordable housing and regional housing conditions report. The City also maintains a list of local housing providers and rental rates for persons seeking housing.
- Worked with the Northern Virginia Regional Commission and other Northern Virginia jurisdictions to monitor and enforce inter-jurisdictional agreements designed to provide continuity of services to homeless individuals and families.
- Continued participation in a regionally coordinated fair housing program with the Northern Virginia Regional Commission and other Northern Virginia localities.
- Continued to monitor contractual services for human service activities with Fairfax County and other relevant providers.

D. Activities Designed to Meet Underserved or Unserved Needs

While the City of Falls Church has a significantly higher household median income than other jurisdictions in the metropolitan area, there are City households who earn less than 50% of the median and have extreme difficulty finding housing. In addition, there is a growing population of residents who speak a language other than English and the City is challenged with ensuring that these residents receive information about City services. To ensure that the City meets the needs of these residents, the City has continually offered rental housing assistance for very-low income households (see Housing Needs section). In addition, the Housing and Human Services Division

is one of the few City offices that provide language translation services (over 20 languages) for any resident seeking services or information.

E. Community and Economic Development Strategies

FY 2004 Activities to Meet Community and Economic Development Strategies

The goal of the City's community and economic development programs is to maintain a healthy and viable environment for all Falls Church residents. The City uses CDBG funds to provide public services for residents (information and referrals) as well as microenterprise assistance but, as noted in the Consolidated Plan, there is a need for affordable health care, affordable housing for families, emergency financial assistance for rental and utility payments, quality affordable child care, and accessible affordable transportation. In addition, the City has embarked on a major effort to redevelop downtown Falls Church by constructing a new City Center that will attract much-needed commercial entities, open space, and other amenities such as restaurants which will create employment opportunities for low- and moderate-income persons. The following activities describe the City's efforts to meet these community development needs.

- **CDBG Program Administration** performed by the City of Falls Church Housing and Human Services Division. This provided program management, monitoring and assessment, environmental review and technical assistance to CDBG subrecipients. Funded at: \$10,500 CDBG funds, \$23,700 in local funds. Geographic Distribution: City-wide.
- **Small Business Assistance** provided by the Business Development Assistance Group (BDAG). BDAG provided extensive technical assistance to 2 entrepreneurs who businesses located/or were retained in the City of Falls Church. During FY 2004, In addition, BDAG continued to provide technical assistance to persons interested in starting a business. Beneficiaries: 59 low & moderate-income persons; 78 low-income persons. Race/Ethnicity Beneficiary Data: 63 Hispanic, 6 Asian, 8 White, 4 Black, 4 Asian/White persons, 1 American Indian/Alaskan Native, and 7 persons who were other/multi-racial. The beneficiaries also included 23 female-headed households. All assisted businesses were owned by low- and moderate-income persons. Funding: \$21,384.12 CDBG. Geographic distribution: City-wide.
- **Downtown Falls Church Development.** The City has announced its request for proposals for the actual design of the City Center, which will contain retail, housing, and office space.

IV. Citizen Comments

(INSERT PUBLIC COMMENTS HERE)

V. Evaluation of Annual Performance

The City of Falls Church met many of the objectives outlined in its Consolidated Plan and

identified the Action Plan for FY 2004. The following table provides a description of how the City's FY 2004 activities met the highest priority needs identified in the Consolidated Plan.

CDBG Program Narrative

Using CDBG funds to Meet Priority Needs in the City of Falls Church

High Priority Needs	FY 2004 Activity/Activities to Meet Needs	FY 2004 Activity Accomplishments
Multifamily Housing Development. Provide or encourage acquisition and/or rehabilitation for low-income families and persons with special needs.	Community Based Development Organization: Falls Church Housing Corporation	Although the Park Place activity was tabled, the Corporation is using the unspent funds for rehabilitating existing affordable rental housing.
Rental Assistance. Provide rental assistance to extremely low and low-income families at risk of homelessness.	Tenant-based Rental Assistance (TBRA) Administration	16 households received rental assistance
Support Services. Provide or encourage support services for elderly households, families, homeless families, and persons with special needs.	Services to Empower People (STEP) Program	57 persons received information, case management, and referral to local service providers
Encourage Housing Preservation.	Housing Rehabilitation/Housing Rehabilitation Coordinator	1 Household

A. Assessment of City's Efforts in Carrying out the Planned Actions

1. **Leveraging:** The City fully leveraged all of its housing and community development programs. As noted throughout this document, the City contributes approximately \$1,500,000 in local funds to provide services not funded with Federal funds.
2. **Certifications:** Provided (see Appendix B)
3. **Hindrance of Plan:** The City executed the Action Plan and all activities in a timely manner without hindrances.

B. Compliance with CDBG national objectives

All of the City's CDBG funded activities met the CDBG national objective of providing

benefits to low- and moderate-income persons or households.

C. CDBG-funded projects involving displacement

Not applicable – the City did not use CDBG for any project that involved displacing existing occupants from the project site.

D. Economic Development Activities

The City provided CDBG funds to the Small Business Development Assistance Group as a microenterprise activity, which resulted in the creation of 2 jobs for low- and moderate-income persons and helped to retain jobs for low- and moderate-income persons at 2 businesses.

E. Rehabilitation Projects

The City instituted its first housing rehabilitation activity in FY 2004. The Housing Rehabilitation Program focus is to rehabilitate homes that have code violations in order to bring those homes up to code and provide a safe and healthy living environment for the occupant.

F. Neighborhood Revitalization Strategy Area (NRSA)

Not applicable – the City did not use CDBG funds for activities in a NRSA.

G. Changes in CDBG Program Objectives

The City has not changed the objectives of its CDBG program and continues to use CDBG funds for housing and community development activities.

VI. Affirmatively furthering fair housing

Enforce fair housing laws and work to eliminate unfair housing practices in the City.

In FY 1997, the City of Falls Church drafted and distributed a local Analysis to Impediments to Fair Housing Choice (AI), and developed a list of strategies to eliminate or reduce the negative impacts of the specific impediments found. The AI is a required part of the Consolidated Plan. The analysis identified specific impediments to fair housing, current activities to address them and recommendations for action. The impediments to fair housing included the following:

- City had not conducted fair housing testing since 1989 to monitor fair housing compliance
- City's definition of single-family homes (one persons living alone, or two or more persons related by blood, marriage, adoption...or a group of not more than eight persons not related by blood living together...) may limit home sharing options for low-income families, particularly single-family homes. Policy could have a disparate impact given that the City's minority population has lower incomes than the white population; the definition may have a disparate impact on the housing choices of minority residents.
- Guidelines for granting special use permits (e.g., a permit for a group home in a low-

density residential district) is vague and may open the process up to subjective decision-making

- Zoning ordinance makes it difficult to develop affordable housing because the only primarily residential district type in which multi-family dwellings are permitted by rights is the multi-family residential district.
- Overall high cost of housing may constitute a barrier to minorities

In FY 2002, the City updated the local jurisdictions' section of the Regional Analysis to Impediments to Fair Housing Choice as it pertains to Falls Church. The Regional Analysis, which was an assessment of all the Washington Metropolitan Area jurisdictions, concluded the following:

- Region lacked fair housing testing
- None of the jurisdictions in the region adopted fair housing laws that were substantially equivalent in terms of the protection provided to victims of housing discrimination under the federal Fair Housing Act
- Regional definitions of "family" for purposes of defining a "single family home" may limit certain areas to single family homes (and prohibit group homes)
- Physical and mental impairment not included in several jurisdictions' (including the City) definition of persons who may live in group homes
- Shortage of housing opportunities or options for disabled persons in the region
- Only two jurisdictions promulgate occupancy guidelines with regard to familial status discrimination (e.g., a policy that states that any occupancy limits more restrictive than two persons in an efficiency apartment is considered discriminatory. The occupancy provision would apply to a person who is alleging housing discrimination who has one or more children that resident with them).
- Lack of rental housing for large families in the region
- Local jurisdictions are not currently involved in any lending testing activities

The City has taken several steps to address and/or eliminate impediments to fair housing choice, including implementing a regular schedule for fair housing testing and fair housing education; implementing a special exception ordinance that grants developers an exception to build housing in commercial districts; implementing a voluntary affordable dwelling unit ordinance that provides for up to 12.5 percent of units in new construction to be affordable to households earning 60 percent of the HUD area median income. In FY 2004, the City carried out the following activities and services to address the impediments related to housing cost, fair housing testing. The City continued activities to address impediments identified in the local AI. Staff of the Housing Division and the Falls Church Housing Commission implemented all fair housing activities listed below with local funds on a citywide basis:

- **Investigation** of fair housing complaints and fair housing counseling services. One fair Housing complaints was filed in FY 2004 by the Equal Rights Center and was filed with the U.S. Department of Housing & Urban Development. The Center alleges that the City instituted a policy that discriminated against families who were purchasing condominiums at The Broadway. The investigation and the resolution of the complaint will continue in FY 2005.

- **Fair Housing Education.** Continued the promotion and public awareness of Fair Housing. The Housing Commission made a public proclamation of Fair Housing Month and it was endorsed by the City Council. The City also published a 5-part series in the local news paper (Falls Church News Press) about Fair Housing, including a special segment on defining fair housing, fair housing rights, fair housing protections for persons with disabilities, and fair housing protections for families (persons with children).
- **Collaboration.** Continued participation with the Fair Housing Work Group of the Northern Virginia Regional Commission.

Attachments

- A: HOME: Annual Performance Report
- B: Certifications
- C: Notice to citizens regarding availability of the Annual Performance Report for review.
- D: Summary of Citizen Comments
- E. HUD Income Limits

**SUPPLEMENTAL HOME PROGRAM
ANNUAL PERFORMANCE REPORT
JULY 1, 2003 - JUNE 30, 2004**

I. BACKGROUND

As described in the City's Consolidated Plan for Fiscal Years 1999 through 2003, the City utilizes HOME Investment Partnership Program funds to provide housing or housing opportunities for low- and moderate-income residents. Creating affordable housing opportunities for low- and moderate-income residents is a focus for the use of federal funds given this critical gap in the City's housing infrastructure.

Consolidated Plan: Five Year Strategies

The City's Consolidated Plan identifies rental assistance for extremely low- and low-income families, persons with special needs, and elderly households as a high priority. To address this need, the City has devoted its entire annual HOME awards to the provision of rental assistance to low and moderate-income households. While this expenditure of HOME funds benefits approximately 17 households per year, there is still a significant need for rental assistance in this community.

II. RESOURCES

A. Federal and Local Funds

The City of Falls Church received \$98,399.16 in HOME funds (including carryover) in FY 2004. The City contributed \$22,402 from local funds to meet the Federal HOME program match requirements.

B. Leveraging Private and Non-Federal Funds

The City of Falls Church is required to provide matching funds equal to \$.25 for every \$1.00 of HOME program funds spent. In addition to the \$17,000 match requirement for FY 2004, the City spent approximately \$26,500 of local funds for rental assistance. The attached chart indicated the City's match report for FY 2004.

Total Rent Paid	HOME Share of Total Rent Payment (80% of Total Paid)	Amount of City Match (20% of Total Paid)	Value of City's Match Contribution
\$ 82,951.71	\$ 66,425.84	\$ 16,606.46	\$ 16,606.46
OTHER MATCH			\$ 2522.00

III. FY 2004 ACTIVITIES

Tenant-Based Rental Assistance

The Falls Church Housing and Human Services Division provided rental assistance to extremely-low or low-income households at risk of homelessness. Beneficiaries: 17 low and moderate-income households: 11 white, 2 Black, 0 Hispanic and 3 Asian. Funding: \$53,300 in HOME funds, \$25,500 in CDBG funds, and \$22,402 in local funds. Geographic Distribution: City-wide.

IV. RESULTS OF HOME INSPECTIONS

All apartment units that were occupied by households that received TBRA this year were inspected as applications were approved. All of the following units were inspected and met HUD's Housing Quality Standards: Apartments: Broadfalls, Merrill House; Lee Square, Westbrook; rented Condominiums: Falls Plaza (1 unit).

V. AFFIRMATIVE MARKETING

Residents participating in the rental assistance program are notified about the program through fliers and press releases that appear in local newspapers. Information was distributed in both English and Spanish. In addition, fliers were distributed in neighborhoods with high concentrations of racial and ethnic minorities and/or high concentrations of low and moderate-income residents.

VI. MINORITY OUTREACH

The Falls Church Housing and Human Services administers HOME funded tenant-based rental assistance. City staff continues to publicize the HOME program and to provide technical assistance to nonprofit housing sponsors that serve minority groups.

The City has a history of conducting business with minority and women entrepreneurs. We continue to market the program to the community civic groups, including organizations that target services to minorities.

CERTIFICATIONS

Each year the City reconfirms to HUD its commitment to a range of legal requirements related to housing and community development programs on topics as diverse as citizen participation and lead-based paint. This CAPER will be forwarded to HUD and will include the attached certifications.

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the Housing and Community Development Plan regulations, the jurisdiction certifies that:

Citizen Participation Plan -- It is following a detailed citizen participation plan which:

1. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by the regulations of the Secretary, and relating to the actual use of funds under the Act;
3. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
4. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;
5. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;

Citizen Participation -- Prior to submission of its housing and community development plan to HUD, the jurisdiction has:

1. Met the citizen participation requirements of §91.105
2. Prepared its housing and community development plan and annual use of funds in accordance with §91.105 and made its housing and community development plan submission available to the public.

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, prepare an analysis of impediments and maintain records pertaining to carrying out this certification.

Anti-Discrimination -- The grants will be conducted and administered in compliance with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3620), the Age Discrimination Act of 1975, Executive Orders 11063, 11625, 12138, 12432 and 12892, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act (title II) and implementing regulations.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under §91.225 and Federal implementing regulations; and that it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, and the relocation requirements of §91.225 governing optional relocation assistance under section 105(a)(11) of the Housing and Community Development Act of 1974, as amended;

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and

- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- 5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- 6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.
- 8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

City of Falls Church
Housing and Human Services Division
300 Park Ave.
Falls Church, VA 22046

Check ___ if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

- 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation,

renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph (n) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly; The jurisdiction is in compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

Legal Authority -- It possesses legal authority under State and local law to make grant submissions and to execute a community development and housing programs and the jurisdiction's governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the grantee to submit the housing and community development plan and amendments thereto and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the housing and community development plan and to provide such additional information as may be required;

Applicable Laws -- The jurisdiction will comply with the other provisions of the Acts covering programs covered by the HCD plan and with other applicable laws.

Signature

Date

Title

Reviewed and approved as to form: City Attorney

Specific CDBG Certifications

The Entitlement Community certifies that:

Use of Funds -- It has developed its HCD plan one-year projected use of funds so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight; (the projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available); except that the aggregate use of CDBG funds received under section 106 of the Housing and Community Development Act of 1974, as amended, and if applicable, under section 108 of the same Act, during program year(s) 1996, 1997, 1998 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70 percent of such funds are used for activities that benefit such persons during such period;

Community Development Plan -- It has developed a community development plan, for the period specified in the paragraph above, that identifies community development and housing needs and specifies both short and long-term community development objectives that have been developed in accordance with the primary objective and requirements of the Housing and Community Development Act of 1974, as amended;

Special Assessments -- It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Housing and Community Development Act of 1974, as amended, or with amounts resulting from a guarantee under section 108 of the same Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

1. Funds received under section 106 of the Housing and Community Development Act of 1974, as amended, are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of that Act; or
2. For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient funds received under section 106 of the Housing and Community Development Act of 1974, as amended, to comply with the requirements of subparagraph (1) above;

Lead-Based Paint -- Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with §570.608;

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Signature and Title

Date

Reviewed and Approved as to Form: City Attorney

NOT APPLICABLE FOR THE CITY OF FALLS CHURCH

**OPTIONAL CERTIFICATION
CDBG**

Submit the following certification only when one or more of the activities in the final statement are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the projected use of funds includes one or more specifically identified activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community and other financial resources are not available to meet such needs.

Signature

Date

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's annual approved housing strategy for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Signature

Date

Title

Reviewed and approved as to form: City Attorney

NOT APPLICABLE FOR THE CITY OF FALLS CHURCH

ESG Certifications

The Emergency Shelter Grantee certifies that:

Match -- It will provide the matching supplemental funds required by §575.51. Describe the sources and amounts of the supplemental funds.

Terms of Assistance -- It will comply with:

- (1) The requirements of §575.53 concerning the continued use of buildings, for which emergency shelter grant amounts are used, as emergency shelters for the homeless;
- (2) The building standards requirements of §575.55; and
- (3) The requirements of §575.57 concerning assistance to the homeless.

Non-profit Subrecipients -- It will conduct its emergency shelter grant activities and the unit of general local government will ensure that nonprofit recipients conduct their activities in conformity with the nondiscrimination and equal opportunity requirements contained in §575.59(a) and the other requirements of this part and of other applicable Federal law.

Use of Commercial Buildings -- If grant amounts are proposed to be used to provide emergency shelter for the homeless in hotels or motels, or other commercial facilities providing transient housing:

- (1) The grantee or nonprofit recipient has executed (or will execute) an agreement with the provider of such housing that comparable living space, in terms of quality, available amenities, and square footage, will be available in the facility for use as emergency shelter for at least the applicable period specified in §575.53;
- (2) Leases negotiated between the grantee or nonprofit recipient with the provider of such housing will make available such living space at substantially less than the daily room rate otherwise charged by the facility; and
- (3) The grantee or nonprofit recipient has considered using other facilities as emergency shelters, and has determined that the use of such living space in the facilities provides the most cost-effective means of providing emergency shelter for the homeless in its jurisdiction.

Environmental -- It assures that no renovation, major rehabilitation, or conversion activity funded through the Emergency Shelter Grant Program will:

- (1) Involve alterations to a property that is listed on the National Register of Historic Places, is located in a historic district or is immediately adjacent to a property that is listed on the Register, or is deemed by the State Historic Preservation Officer to be eligible for listing on the Register;

- (2) Take place in any 100-year floodplain designated by map by the Federal Emergency Management Agency; or
- (3) Be inconsistent with HUD environmental standards in 24 CFR part 51 or with the State's Coastal Zone Management plan.

Signature

Date

Title

NOT APPLICABLE FOR CITY OF FALLS CHURCH

HOPWA Certifications

Terms of Assistance -- It will maintain any building or structure assisted with under the HOPWA program as a facility to provide assistance for eligible persons:

- (1) For a period of not less than 10 years in the case of assistance involving new construction, substantial rehabilitation or acquisition of a facility; and
- (2) For a period of not less than 3 years in cases involving non-substantial rehabilitation or repair of a building or structure;

Signature

Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out in paragraph (o).
2. The certification set out in paragraph (o) is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies. (This is the information to which entitlement grantees certify).
4. For grantees who are individuals, Alternate II applies. (Not applicable to CDBG Entitlement grantees.)
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C.812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are not on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

NOTICE OF AVAILABILITY

FY 2004 Consolidated Annual Performance and Evaluation Report

The FY 2004 Consolidated Annual Performance and Evaluation Report, to be submitted to the U.S. Department of Housing and Urban Development, details the City's housing and community development activities and programs for homeless households implemented in FY 2004. A copy of the report will be available beginning August 16, 2004, at the Mary Riley Styles Library and at the Housing and Human Services Division.

Citizens are invited to submit their comments on the report through August 31, 2004. Comments may be submitted in writing or by contacting Tennille Parker at 703-248-5191, fax 703-248-5184, electronic mail tparker@ci.falls-church.va.us.

City of Falls Church
Housing and Human Services Division
300 Park Avenue
Falls Church, Virginia
703-248-5005; TTY/Voice 711

**This document will be made available in an alternate format upon request.
Calls 703-248-5005, TTY/Voice 711**

AVISO DE DISPONIBILIDAD

Reporte Consolidado de Ejecución y Evaluación del Año Fiscal 2004

El Reporte Consolidado de Ejecución y Evaluación Añual (Consolidated Annual Performance and Evaluation Report) del Año Fiscal 2004, el cual será sometido al Departamento de Vivienda y Desarrollo Comunitario de los Estados Unidos, especifica las actividades de vivienda y desarrollo comunitario de la Ciudad y programas para familias sin hogar que han sido implementadas en el Año Fiscal 2004. Una copia del reporte estará disponible el 16 de agosto de 2004 en la biblioteca de Mary Riley Styles y en la División de Vivienda y Servicios Humanos.

Los residentes de la Ciudad están invitados a enviar sus comentarios por escrito o comunicarse con Tennille Parker de la Division de Vivienda y Servicios Humanos llamando al 703- 248-5191 hasta el 31 de agosto de 2004. Comentarios también pueden ser enviado a Tennille Parker for fax al 703-248-5184, por correo electrónico al tparker@ci.falls-church.va.us o por correo a la siguiente dirección:

City of Falls Church
Housing and Human Services Division
300 Park Avenue
Falls Church, Virginia
703-248-5005, TTY /Voz 711

Para solicitar este documento en un formato alterno llame al 703-248-5005, TTY/Voice 711.

I:\CAPER\caper 2004\cpnotice04.doc

ATTACHMENT D

SUMMARY OF CITIZEN COMMENTS

The CAPER was made available to the public in the City of Falls Church Library and City Hall from August 16, 2004 through August 31, 2004. (INSERT PUBLIC COMMENTS HERE)

Median Income Limits								
Number of Persons in Household	1	2	3	4	5	6	7	8
HUD Median Income	\$59,350	\$67,850	\$76,300	\$85,400	\$91,600	\$98,350	\$105,152	\$111,936
30% of Median	\$17,934	\$20,496	\$23,058	\$25,620	\$27,670	\$29,719	\$31,769	\$33,818
40% of Median	\$23,912	\$27,328	\$30,744	\$34,160	\$36,893	\$39,626	\$42,358	\$45,091
50% of Median	\$29,890	\$34,160	\$38,430	\$42,700	\$46,116	\$49,532	\$52,948	\$56,364
60% of Median	\$35,868	\$40,992	\$46,116	\$51,240	\$55,339	\$59,438	\$63,538	\$67,637
70% of Median	\$41,846	\$47,824	\$53,802	\$59,780	\$64,562	\$69,345	\$74,127	\$78,910
80% of Median	\$47,824	\$54,656	\$61,488	\$68,320	\$73,786	\$79,251	\$84,717	\$90,182

CDBG Maximum Income Limits

Number of Persons in Household

INCOME LEVEL	1	2	3	4	5	6	7	8
Moderate-Income	\$39,550	\$45,200	\$50,850	\$56,500	\$61,000	\$65,550	\$70,050	\$74,600
Low Income	\$30,450	\$34,800	\$39,150	\$43,500	\$47,000	\$50,450	\$53,950	\$57,400
Extremely Low	\$18,250	\$20,900	\$23,500	\$26,100	\$28,200	\$30,300	\$32,350	\$34,450

HOME Maximum Income Limits

Number of Persons in Household

INCOME LEVEL	1	2	3	4	5	6	7	8
30% Limit	18250	20900	23500	26100	28200	30300	32350	34450
Very Low Income Limit	30450	34800	39150	43500	47000	50450	53950	57400
60% Limit	36540	41760	46980	52200	56400	60540	64740	68880
Low Income	39550	45200	50850	56500	61000	65550	70050	74600